

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/29/2021

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1979 FAMILY TRUST LICENSOR, LLC
and ROCKEFELLER & CO. LLC,

Plaintiffs,

-against-

MEHAL J. DARJI aka MEHAL
ROCKEFELLER and ROCKEFELLER
MANAGEMENT CO.,

Defendants.
-----X

19-CV-4389 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 22, 2020, Plaintiffs filed a motion for contempt and imposition of sanctions against Defendants for failure to comply with the default judgment entered on August 19, 2019 (*See* Dkts. 22, 24);

WHEREAS on September 14 and September 30, 2020, the Court granted Plaintiffs' motion for contempt and imposition of sanctions (Dkts. 31, 35);

WHEREAS on March 30, 2021, Plaintiffs filed a second motion for contempt seeking an order of incarceration against Defendants (Dkts. 36-38);

WHEREAS on May 5, the Court ordered Defendants to appear for a hearing on May 25, 2021, and warned that Mr. Darij's failure to appear may result in a warrant being issued for his arrest (Dkt. 40);

WHEREAS on May 25, 2021, Plaintiff appeared for the hearing but Defendants failed to appear or otherwise to respond to the motion or the Order;

WHEREAS on May 27, 2021 this Court signed a warrant ordering Mr. Darij's arrest by the United States Marshals;

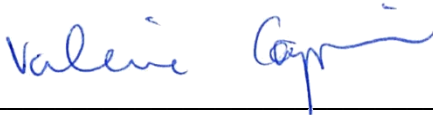
WHEREAS on June 2, 2021, the Court dismissed the arrest warrant after learning from the United States Marshals Service that Mr. Darji has been incarcerated at Salem County Jail on an unrelated matter since March 23, 2021;

IT IS HEREBY ORDERED THAT: Defendants' second motion for contempt is denied without prejudice. As previously ordered, upon Mr. Darji's release from jail, if Plaintiffs wish to again pursue a finding of contempt, they must renew their motion for contempt and imposition of sanctions for failure to comply with the default judgment previously entered against Defendants and serve Mr. Darji with the motion.

The Clerk of Court is respectfully directed to close the open motion at docket entry 36.

SO ORDERED.

Date: July 29, 2021
New York, NY



VALERIE CAPRONI
United States District Judge